



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

US
7138
15



US 27138.15



Harvard College Library

FROM

T. S. Jerome,
Detroit, Mich.

14 Jan. 1892.

393
JAN 1898

Conch

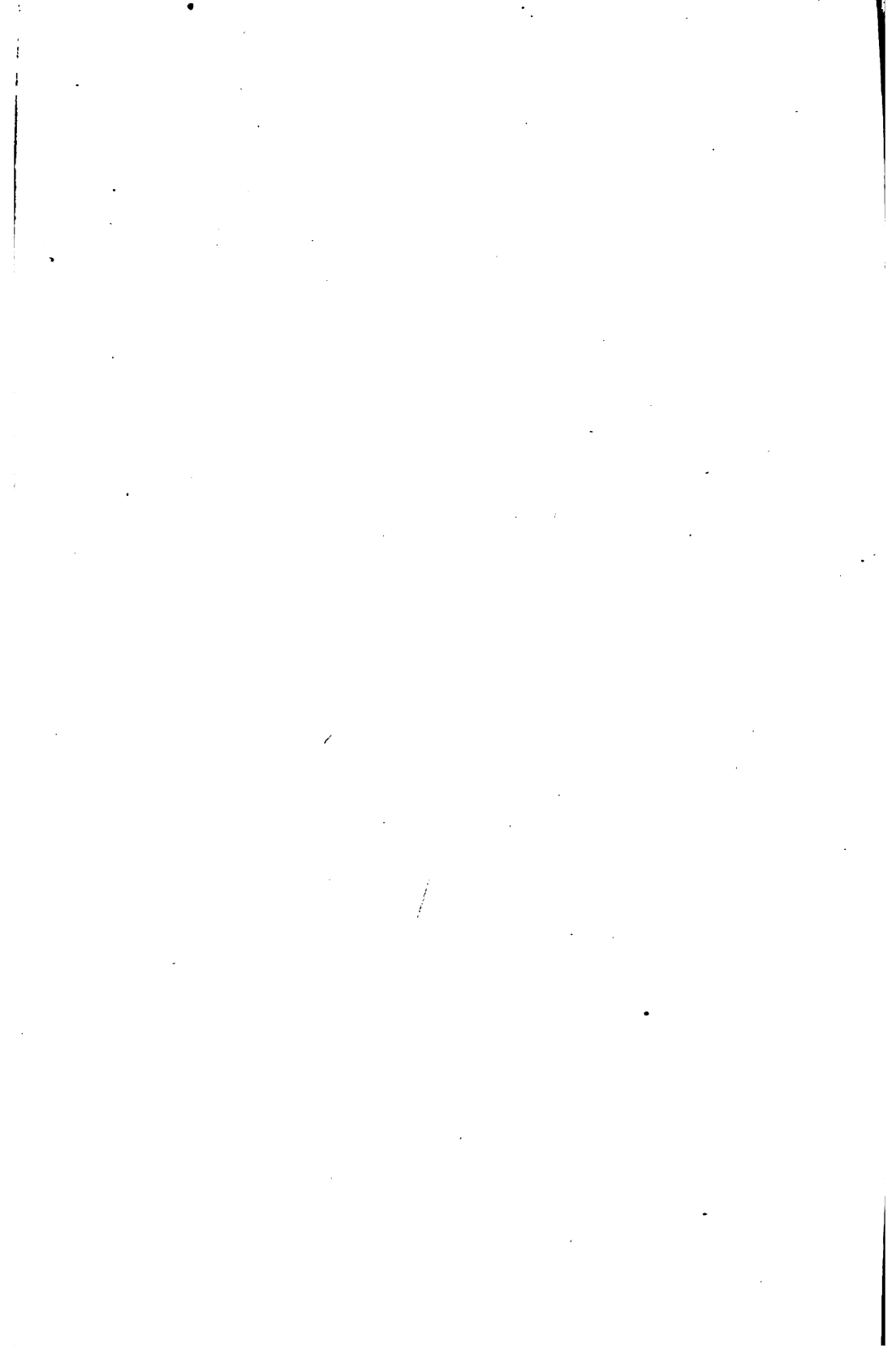
~~13324.24~~
US 29138.10

WITENAGEMOTE PAPER NO. 6

GOVERNOR, JUDGE, AND PRIEST



F



GOVERNOR, JUDGE, AND PRIEST

DETROIT, 1805-1815

A PAPER READ BEFORE THE WITENAGEMOTE
ON FRIDAY EVENING, OCTOBER THE SECOND, 1891

By

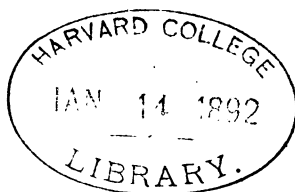
Charles Moore



5

NEW-YORK
PRINTED AT THE DE VINNE PRESS
1891

~~13324.24~~
US 27138.15



J. S. Jerome,
Detroit, Mich.

Copyright, 1891, by CHARLES MOORE.

The materials for this paper were obtained mainly from a collection of manuscripts in the Department of State at Washington. So far as the writer can find out, none of the historians of Michigan have seen the letters from Governor Hull, Judge Woodward, and Stanley Griswold which the collection contains.



GOVERNOR, JUDGE, AND PRIEST.



WILLIAM HULL, selected by President Jefferson to be the first governor of the new Territory Michigan, reached the eastern borders of his dominions on the first day of July, 1805. As the little schooner that carried him and his fortunes made its way up the island-strewn river toward the century-old town of Détroit, the Governor's expectant gaze was greeted by the sight of a single row of low white farm-houses, with sharply pitched roofs pierced by small gable-windows. About the houses were great pear-trees raised from seeds brought from France by Cadillac's followers, and orchards of Lombardy apples, whose fame was to spread throughout the country. High fences of round cedar posts guarded the farms from the cattle, and especially from the droves of squealing French ponies that dashed up and down the narrow road leading along the river-bank; the picket-fences also served as a sort of fortification in case of Indian

attacks, and often proved a defense not to be despised. So near together were the houses that neighbors could call from porch to porch ; but the farms, although not more than five acres wide, stretched far back into the boundless forest. The neatness of the whitewashed fences and dwellings must have accorded well with the New England ideas of Governor Hull ; but his Puritan soul doubtless revolted from the moss-grown crucifixes on barn and gate-post and the shrines of the Virgin by the roadside. The points of land that here and there jutted out into the river were adorned as well as made useful by picturesque windmills, whose great sails swung lazily around in the summer wind.

The French farmers living along both banks were, as Governor Hull soon found out, at one with their surroundings. The broad river which flowed past their doors not only furnished a plenteous harvest for their nets and a convenient means of communication with town and church, but it was also to them the world's highway. Its opalescent waters, coming from the rich fur-regions of the north, flowed round the high mountain of Montreal, where their market was, and under the cliffs of Quebec, whence the ships sailed to France.

What the Governor expected to see was a compact town, well fortified against incursions of Indians, and surrounded by pleasant fields. He looked to see a joyful people come forth from happy homes to welcome the representative of free government. Instead of this cheerful greeting, what his wondering eyes did see was a mass of blackened embers where once a town had been, and a broad common covered with tents and booths. From these improvised dwellings came a crowd of thin-faced, bronze-complexioned, barefooted men, clad in colored shirts and trousers held at the waist by a leather belt. With them came a troop of plump and handsome black-eyed French girls, their short gowns, or *habits*, falling over long, gaily-figured petticoats, and their faces

protected from the July sun by broad-brimmed straw hats of home manufacture. From the days of Cadillac till within the memory of living men there was no change in the style of clothing worn by the French people of Detroit, and a garment was fashionable until it was worn out.

On disembarking with Stanley Griswold, the Territorial Secretary, Governor Hull was met by Judge Woodward, who had arrived from Washington on the previous day, and by Judge Bates, who had been acting as Government Land Commissioner and so was somewhat acquainted with the people. A temporary lodging was found for the new officials, but so crowded were the buildings that it was more than a week before the Governor found quarters for the winter in the small house of a farmer a mile above the ruins.

The origin of the fire which completely destroyed Detroit remains a mystery. Governor Hull wrote to Secretary Madison that common report said the lumber-dealers had burned the town in order to force up the price of their stocks, and color was given to this idea by the unusual fact that contracts had been made at the mills for all the lumber that could be sawed during the season. In truth, the wonder is that Cadillac's town had not burned years before. Its streets were lanes, its wooden houses were crowded together so that they could be surrounded by palisades ; and once the fire started, the buildings burned so quickly that the people were able to save a part of their property only by rushing with it into the convenient river and there sinking it.¹

During the twelve days that elapsed between the burning of Detroit and the arrival of the Governor, the people had mapped out a new town on the pattern of the old one, save only that they had included the common, which they claimed on the ground that the land had been used as a free

¹ State Department MSS.

pasture from the earliest times. With some difficulty the Governor and his associates persuaded the people to give up their plan and accept one to be prepared by the authorities. The fact was that in the fire which had completely wiped out the old Detroit, Judge Woodward saw his opportunity to duplicate in the West the plan of a city with which his good friend Charles L'Enfant had captivated George Washington. L'Enfant's plan for the national capital was adapted from Versailles, and Woodward's was a further variation on the French theme. At the time when President Jefferson took pity on his poverty by giving him a judicial appointment, Augustus B. Woodward was literally the first lawyer in Washington, whither he had removed from his home in Alexandria when the capital city was first platted. Having watched the laying out of the nation's capital, he was now ready to lay out the capital of Michigan Territory. Making Campus Martius a center, Judge Woodward laid off the broad avenues which converge at that point and at the Grand Circus Parks. Fortunately for the acceptance of his plat, Judge Woodward retained the street leading along the river, which was then the only thoroughfare of importance, his Roman campus and circus being left for future generations to reclaim from the swamp. The lower part of the town was laid out in a regular manner, and the fact that the government owned Fort Shelby and its adjacent gardens (where the new Federal Building now stands) made the plans seem mere things of paper, in so far as their vagaries were concerned. The French, too, were not disposed to object to a design patterned after Versailles; and when Judge Woodward gave his own name to the thoroughfare which, starting at the river, ran straight out across the morasses to the woods, the people accepted for what it was worth his disingenuous explanation that the avenue was so called because it ran

woodward. However, the decision which the Judge exhibited in the matter of the new plans showed his colleagues that they had to deal with a man who meant to have his own way, and whose head was full of schemes.

The allotment of lands in the new city was a subject of great contention. Every one wanted a lot fronting on the river ; but from the house of John Dodemead to the line of the Askin property there was only 800 feet of building-ground, and this could not well be divided among 200 or more claimants. Judge Woodward, however, followed his plans to Washington ; and, as he claimed, by the expenditure of \$300 on wine for congressmen, secured the passage of an act by the provisions of which 500 square feet of land was assigned, first, to each of the 20 heads of families who were occupying their own homes when the town was burned ; secondly, to the 16 persons who owned houses but were not heads of families, or who were not residents ; thirdly, to the 23 heads of families who were not proprietors ; fourthly, to 62 persons above the age of 17 years who were residents but neither heads of families nor proprietors. Six British subjects, two free negroes, and three slaves received no lands. Provision was also made for church sites, and to St. Anne's was assigned the entire square of ground on Bates Street so long occupied by that parish. This extensive holding was in exchange for the valuable property on Jefferson Avenue near Griswold Street which had been occupied by the fourth St. Anne's Church, consecrated in 1755 by Pont de Briand, Bishop of Quebec, and enlarged by Father Richard just previous to the burning of the town.

The farmers along the river-bank were less fortunate than the townspeople in securing titles to their lands. In their case there was no one interested to buy wine for congressmen, and Governor Hull's appeals long fell on deaf ears. To

Madison he wrote: "I am now removing with my family and all my future prospects to this country. Gloomy indeed are those prospects. Surrounded by a savage foe, in the midst of a people strangers to our language and customs, without legal title to property and no measures adopted by which title can be obtained, and not an acre of land to be offered to new settlers." The discontent of the settlers, the Governor said, was quickly imbibed by their friends the Indians, whose hostility to the Americans was constantly fanned by presents from the British across the river. "An honest and fair adjustment of land matters," continues Governor Hull, "would give more strength to the country than a thousand disciplined soldiers."

During the century that the French had been in possession of the country adjacent to Detroit a considerable number of comfortable fortunes had been gathered. Among the more prosperous farmers was François Paul Malcher, whose broad lawn sloped gradually down to the narrow channel of the river, opposite the wooded Isle aux Cochons. Orchards of the French pear and the Norman apple sheltered the fine old farm-house from northern winds, and furnished the luscious fruit so highly prized by the settlers. When, a year or two after Governor Hull's coming, the long farm had been confirmed to François Paul by the Board of Land Commissioners, the old man, being about to die, felt moved to convey to the church his 360 fertile acres. This he could well do, because his personal estate would suffice for his grandson and only heir, Isadore Saint Bernard, who would also inherit a fine farm from his father. The necessities of the church were great, since there were a hundred families living on the Côte du Nord-Est (northeast shore) who had to travel on Sundays and feast-days six miles to get to the Ernest farm below the town, where Father Richard had improvised a church after the fire. Accordingly M. Malcher

called in the vicar-general, Father Richard, and the magistrate, Peter Audrain, and with their aid it was provided that in due time the transfer should be made to the church. Late in 1809 M. Malcher was gathered to his fathers, the old homestead was fitted up as a chapel, a school-room was arranged, and the building was dedicated to Saint Philip Neri.

All went well until 1816, when Father Richard began to build the fifth St. Anne's church on the site assigned in the town. Then the people of the northeast parish, who probably objected to being called upon to pay their proportion for the new church, became incensed at the vicar-general, and at the end of a very serious and scandalous dispute found themselves cut off from church privileges. Harmony was restored only by the advent of Bishop Flaget, who in his old age made the long horseback journey of pacification from Bardstown, Ky., to Detroit. But lightning and death combined to prevent the success of the church and the college of Saint Philip Neri, and in the '50's private parties got away from the church nearly all the rich acres of the Malcher farm, all through the want of a conveyance to Father Richard from the five original grantees of François Paul Malcher. Perhaps this despoilment might have been prevented had St. Anne's church, as a church, fought the matter; but the settlement made by Bishop Lefevre vested the title of the portion left to the church in the bishop, and not in rich St. Anne's. Every bishop of the diocese had quarreled with St. Anne's until the title to its property was vested in the bishop, at the time when, a few years ago, the fine old church with its twin steeples was torn down to make way for business. A sixth St. Anne's now preserves the name, and in time may gather the traditions of its predecessors.

No sooner had Governor Hull settled himself to the administration of affairs than delegations of substantial French farmers waited on him with addresses of welcome, so called :

the Beaufaits and the Chapotons, the Chenes and the Campaus, the Gouins, Marsacs, and Morans, the Peltiers and St. Aubins, whose ancestors had tilled the soil at Detroit for a hundred years, and many of whose descendants still enjoy fortunes whose foundations were laid under the rule of Cadillac. These hard-headed proprietors were not the ones to be over-enthusiastic at the latest change of government. With due caution they remarked that although they were personally unacquainted with their new ruler, yet, "having the most unbounded confidence in the President, they felt persuaded that he would appoint no gentleman to so high and important an office who did not possess republican principles, and whose interests would not be inseparable from those of the people whom he was to govern." To these words of welcome and warning the Governor made formal answer in an address which set up the Constitution of the United States in place of the Quebec Act as the charter of the people's liberties; and in order to give the widest publicity to these sentiments, the address was translated into French and read in the churches in the neighborhood.

Indeed, so far as could be seen, the appointment of Governor Hull appeared an ideal one. Among the younger officers of the Revolutionary Army none was more highly esteemed than Colonel Hull. A graduate of Yale, he entered the service in 1775, at the age of twenty-one, as captain in a Connecticut regiment; he witnessed the evacuation of Boston; he was wounded at White Plains; on the day after the battle of Trenton he was promoted by General Washington for bravery; he endured the bitterness of Valley Forge; for conspicuous gallantry at Stony Point he received the particular thanks of General Wayne, of General Washington, and of Congress; "for his judicious arrangements in the plan of operations, and intrepidity and valor in

execution" in an attack on the enemy at Morrisania, he had been thanked again in general orders by Washington and also by Congress. After the war he found political favor in the Massachusetts community in which he lived, and at the time Jefferson called him to be governor of Michigan he was Judge of the Court of Common Pleas. At the age of fifty-one, with large experience both of military and of civil life, Governor Hull seemed to be the man of all others wisely to shape the fortunes of the wilderness Territory and to win respect and confidence for the government.

Under the form of government then provided for the Territories, the Governor and the three Judges acted as the legislature, being limited in their enactments theoretically by the laws already in force in some one of the States, and practically by the extent of the Territorial law library, which in the case of Michigan "embraced the statutes of but four States, and those four the ones least applicable to a frontier Territory." It so happened that Governor Hull had stopped at Albany to take the oath of office before Vice-President George Clinton, and on his arrival at Detroit had administered the oath to Judge Woodward and Judge Bates. The careful Madison, to whom Governor Hull reported these facts, made indorsement that, the Vice-President not being empowered to administer oaths, all the oaths were informal; but this lack of judicial succession was never again adverted to. The legislature promptly provided for courts of justice, for a militia, and for raising by lotteries twenty thousand dollars to be expended on the promotion of literature and the improvement of the city of Detroit. All able-bodied male inhabitants between the ages of fifteen and fifty were enrolled in the militia, and each was required "to provide himself with a good musket, or fusee, a sufficient knapsack and bayonet, and two square

flints." So strenuous, not to say fussy, was the new Governor on the subject of drills that he laid the foundation of an unpopularity that increased from month to month.

In several matters pertaining to the interests of the Territory Governor Hull exercised a wise discretion. When Mr. Granger, a mill-owner on the St. Clair River, made complaint to President Jefferson that his lands were being invaded by both British and American timber-thieves, Governor Hull was ordered to issue a proclamation forbidding trespassing on the timber-lands along the St. Clair. This he did, but on September 11 he addressed to the State Department a remonstrance, in which he urged that boards had already advanced four or five dollars a thousand, that timber could be obtained only from the British or in the St. Clair country, and that consequently the course of the government was working distress among the poorer people at Detroit who had been sufferers from the fire. Governor Hull also argued very justly that inasmuch as the Indian titles to the timber-lands had never been acquired by the government, no person could have a legal right to them, and consequently trespass must be a violation of the laws of the United States and not an offense against private rights. Governor Hull's position was legally a sound one; but for thirty years certain of the St. Clair lands had been under improvement, and for nearly a century sawmills had been in operation in that country.

The remonstrance having met the usual fate of communications sent to Washington, Governor Hull, being at the capital during the following December, addressed a brief note to the Secretary of State, asking if, for the reasons before stated, the President did not think it expedient to take action in the timber matter. Madison evidently took this note to a cabinet meeting; for on the bottom of the scrap of paper the same hand that penned the Declaration of In-

dependence wrote these words, extending the aid of the Government to the sufferers by the Detroit fire :

It was our joint opinion that altho' it would not do to lay open the public timber to all persons indiscriminately, yet that the calamity which happened at Detroit rendered it proper that the public should permit the poorer sufferers to get timber from their lands, and that it should be left to the discretion of Governor Hull to grant the special licences.

TH. J.

While Governor Hull was in Washington officers from Fort Malden, the British headquarters at the mouth of the river, attempted to apprehend and take back a deserter from that post. The story, as written to Secretary Madison by the acting governor, Stanley Griswold, relates that on Sunday, December 8, Thomas Nolan, a deputy marshal, while going by boat to the River Rouge, six miles below Detroit, was met on the river by a party of British soldiers, who held him to search his boat for deserters. After some words, the boats went their different ways, and Nolan landed at Weaver's Tavern, on the Rouge, for breakfast. There he found Captain Muir and Lieutenant Lundee, from Fort Malden. While the party were breakfasting, a sentry stationed by the officers reported a canoe in sight. Captain Muir ordered his boat manned, and despatched a soldier to intercept the canoe. During the bustle a man named Morrison arrived at the tavern, was recognized by some of the British as a deserter, and was taken into custody. Now, Captain Muir was a good deal of a bully, and the fashion in which he and his soldiers conducted themselves on American soil aroused the ire of Marshal Nolan, who, calling the citizens of the United States to his assistance, after a pretty severe struggle in which arms were displayed, rescued Morrison and took him to Detroit. The British officers followed not far behind, and on reaching the town went to Fort Shelby with their grievance. There they found Captain Brevoort

and Lieutenant Hanks quite ready to give aid in apprehending a deserter, by way of courtesy to fellow-officers. The servants of the United States officers, going from house to house through the little town, late in the evening located Morrison in the dwelling of Conrad Leck. Thereupon Captain Muir and Lieutenant Lundee broke into Leck's house and seized the deserter. The people were prepared for them, and a general scuffle ensued. The British officers flourished their swords and pistols, Captain Brevoort stood by and swore at the citizens, and Lieutenant Hanks, with uplifted stick, threatened to strike any man who dared to lay hands on a British officer. Several shots were fired, and Captain Muir shot himself in the leg ; but neither the prowess of the British nor the curses and threats of their American allies availed to secure Morrison, who, securely guarded, was removed to the house of Mr. Smyth. There another crowd assembled, and when Lieutenant Hanks threatened to bring a detachment of troops from the fort and Governor Hull's impetuous son menaced the mob with the assurance that he would have the artillery blow the parcel of rascals to perdition, the people promptly gathered in both British and American officers. Next morning the offenders having been brought before the magistrates charged with a violent breach of the peace, the British officers were held in the sum of one thousand dollars each to appear at the September term of the General Court. The three Americans were also put under bail to appear at the same time. England might search American vessels on the high seas, but her officers should not be allowed to break into American homes. Even Major Campbell, the commandant at Malden, felt himself called upon promptly to disavow the action of his officers, although he insisted that the reports of the affair had been exaggerated. The officers were duly convicted, but the international bearings of the affair having been adjusted by

Major Campbell's disavowal, the fines were made trifling in amount. Thus the dignity of the United States was upheld, and at the same time an olive-branch was extended to our neighbors.

Equal tact was shown in dealing with an Indian trouble which happened a year later, Michome, or Little Bear, a prominent chief of the Chippewa Nation, having murdered a member of his own tribe at Detroit, was promptly arrested and put in prison. He justified his action by saying that, being the head of the nation and by its laws and customs having all power invested in him, he conceived that he had done only his duty in despatching an Indian who had murdered a member of his own tribe, and who had twice tried to poison Michome himself. After killing the Indian, Michome had gone straight to Governor Hull and reported the act, whereupon the Governor, fearing the displeasure of the Huron River and St. Clair Indians, wrote to President Jefferson asking for a pardon in case the chief should be convicted of murder. The pardon was sent, but before it arrived Michome was acquitted.

During the summer of 1806 the people of Detroit dropped their business for a time to prepare for defense against a threatened attack from Canada. Much irritability arose on both sides of the border because of the fact that slaves left their British masters and sought freedom in the Territory of Michigan. When the owners applied to the government for the apprehension and return of their property, Governor Hull did not consider himself authorized to comply with the request, although he was willing to use all his authority to keep the slaves from coming to the United States. When the British masters applied to the courts, they again met with a refusal to interfere. The excitement over the matter, however, soon died out.

The Michigan officials were early met by the great dispar-

ity between their incomes and their expenditures. "In no part of the United States or Europe where I have resided," writes Governor Hull in his first letter to Secretary Madison, "is the expense of living so great as at this place. It will be for Congress to judge whether it will not be expedient to increase the salaries of their officers. The Secretary is strongly inclined to resign immediately, but I have persuaded him to remain until the next session of Congress." Six months later, Secretary Griswold, then acting as governor in the absence of General Hull, gives a highly colored picture of Detroit life. "It is reduced to a certainty," he says, "that this government cannot proceed without some additional pecuniary aid from Congress. Its seat is established at a place which combines all the disadvantages of an old and new settlement, without one of the advantages of either. Luxury, the relic of British fortunes formerly squandered here, and of a once flourishing commerce, continues its empire, though I am happy to think it is on the decline. Fashion, ceremony, and expense are great, far beyond the present abilities of the inhabitants. We are in the neighborhood of a proud, rich, and shewy government, which has frequent intercourse with us through characters of wealth and distinction. Our compensations are scanty for the most retired internal situations, where house-rent and provisions are cheap and expensive company is not known, as was the case at the seat of the government of the North Western Territory, in the year 1787, by the ordinance of which date our salaries are regulated. . . . Imagine to yourself a man expending the little savings he had been able to make . . . in fitting out and removing his family a thousand miles, and finding himself compelled to pay for rent and the necessities of life more than he would be obliged to pay in the most expensive city of the United States, or of the world — with the extraordinary duties and expense of Chief Magistrate devolved on him for

eight months out of twelve; of commander-in-chief of a militia, which is relied on for effective defense; and of Superintendent of Indian Affairs to numerous and powerful nations, whose chiefs are frequently at his house—and imagine this man receiving but \$750 per annum!”

These seemingly piteous appeals for larger salaries were treated at Washington as such communications are treated to this day. As a rule the first thing is to get an appointment, and the next is to secure an increase in salary. Yet of the office-holders in Michigan Territory, as in other sections of the country, President Jefferson could truthfully say, “Few die and none resign.” The opportunities for gain in a new Territory, however, were not altogether wanting; and shortly after their advent Governor Hull and Judge Woodward made arrangements with Russell Sturgis and other Boston capitalists literally to make money, through the organization of a bank of issue. Currency was scarce in this isolated community, and trade was conducted mainly by barter. The advent of the English had driven out the Spanish and French coin, and when the United States came into possession the sources of money supply were the payments made to the garrison, and the meager salaries paid to the Governor, the Judges, and the Territorial Secretary, together with the coin brought in by the traders of the American Fur Company, who were the bankers of the forest. When coin was scarce the company filled the gap with issues of its own due-bills in small denominations. Governor Hull introduced the bill to charter a bank for 30 years, with a capital of \$400,000; but to Judge Woodward’s expansive mind these figures seemed grossly inadequate, and so he had the time extended to 101 years, and the capital increased to \$1,000,000. No bank since established in Michigan has exceeded the capital of this first financial institution, which was intended to provide for the

wants of a city of a thousand people and a Territory within whose borders there were not more than three thousand inhabitants.

It was necessary for Congress to approve the charter, and in this connection Judge Woodward's letter to Madison throws considerable light on the trade conditions of the country, besides exhibiting some of those wild ideas of finance which in these later days have found many adherents. "From the ocean all the way to these settlements," writes the Judge, "there is a continued line of improvements following without deviation the line of navigation. It is seldom more than forty miles in breadth, but its length is at least fifteen hundred miles. These settlements are pleasant, fertile, and even opulent. They present along the whole line an activity little realized in the United States. The commerce in furs which has been carried on in one channel for two centuries is the cause of this phenomenon. The measures of Bonaparte have just, in a great degree, cut off the English from the Continental market for furs. The Chinese have also laid restrictions on the commerce. At present [1807] there is a shock felt along the whole line which I have described, and which paralyzes even this country. . . . The commerce belongs to another nation. The Americans have never been able to succeed in it, though the most desirable part of it belongs to their own Territory and the whole of it passes along their line." The connection between the bank and the fur trade existed only in Judge Woodward's mind; but what the Judge wrote about the trade being in the hands of foreigners was only too true. The Mackinac Company, composed of British merchants, was at this time in possession of the enormous fur trade, and it was not until 1809, two years subsequent to the date of Judge Woodward's letter, that John Jacob Astor obtained from the legislature of New-York a charter

for the American Fur Company, with a real capital equal to the nominal capital of the Michigan bank. In 1811 Astor bought out the Mackinac Company, and so obtained control of the American trade.

It was Judge Woodward's expressed opinion that "the quantity of notes and bills would always be regulated by the people according to their needs, so the amount of capital is unimportant." On a paid-up capital of \$19,000 in guineas, ten per cent. of which was provided by the Territory, five by the citizens, and eighty-five by the Bostonians, the bank began business in an eight thousand-dollar building provided with iron doors, and with a cashier brought all the way from Boston. Judge Woodward was president, and on him and Cashier Flannigan devolved the onerous work of signing the bills. When \$165,000 in currency had been so signed, the Boston managers departed eastward with it and marketed their crop at a discount of from ten to twenty-five per cent. These issues were repeated until notes to the amount of \$400,000 were outstanding. The first five-dollar bill presented for payment was refused, and five hundred dollars in notes bought in Albany were also at first declined, but were afterward paid to save a complete collapse of the bank. Russell Sturgis and his friends had unloaded their stock, and now Governor Hull became completely convinced that the bank was a swindle. But Mr. Dexter, another Boston financier, stepped into the breach and, as proprietor of the Bank of Detroit, increased the issues to \$1,500,000, all but \$12,000 being put upon the Eastern markets, with the result that people who had never before heard of Detroit now learned to their cost that there was such a city.

All this time the bank had been doing business without having had its charter approved by Congress, a matter which led to an investigation. Judge Woodward, with his helper, Judge Griffin, stood by the bank; while Governor Hull and

Judge Witherell (who had succeeded Judge Bates when the latter was transferred to Missouri) were opposed to the continuance of so palpable a fraud. During Judge Woodward's absence in Washington, a bill was passed by the Legislative Council to punish the circulation of illegal bank-bills, and the Bank of Detroit came to an end. Inasmuch as the institution received no deposits and discounted no bills, the closing worked little harm within the Territory, although it gave Michigan a bad name in the East. For the next ten years the people got on without a bank.

The passage of the law wiping out the bank was but one of many causes of difference between Governor Hull and Judge Woodward. In the somewhat voluminous correspondence preserved in the State Department at Washington, Governor Hull appears to have kept his personal woes to himself. He even speaks in high terms of the ability of Judge Woodward, and expresses regret that the Judge's salary is so small that he feels he must resign. But Judge Woodward does not so bridle his pen. In a remarkable letter dated, November 5, 1806, and addressed to the Legislative Board, the Judge charges Governor Hull with lack of tact, energy, and firmness, and complains that the people had thrown off the ties of civilized society to such an extent that the Governor and government were but feathers blown by the wind. "A public officer," he says, meaning himself, "cannot walk or drive in the streets without being assaulted by the most vulgar and insolent abuse. A gentleman of the first influence in this country has declared in the streets that the first law that should pass that does not suit him, he would kick the government to perdition." The Judge ascribed the origin of these disturbances to two persons who, "being sons of a British drummer, thought they had an hereditary right to make a noise in the world," and to "an Englishman who came to this country exhibiting a monkey for money,

and who, thinking men equally as easy as monkeys to lead, has assumed a sort of dictatorship here."

Stanley Griswold, who was acting governor at the time when Judge Woodward's letter was delivered, forwarded a copy to Washington, doubtless for the purpose of revenge, he and Judge Woodward being on the worst of terms; but the Territorial Secretary could not stand up against the arbitrary, crafty, and unscrupulous Judge, and he was recalled. From the date of the downfall of the bank, chaos reigned in the Territorial Government. In September, 1810, Judges Woodward and Griffin, taking advantage of Judge Witherell's absence, by one act blotted from the statute-books all legislation enacted during the three years previous. The spirit of disorder leaped from the Legislative Council to the courts. Grand juries presented as nuisances certain obnoxious laws; they found indictments now against Governor Hull and again against Chief Justice Woodward, and Judge Woodward took the law into his own hands once by requiring each juryman to answer whether he voted for a certain presentment, and again by fining for contempt of court a citizen who had spoken disrespectfully of him in the street. It added nothing to the good feeling between the two men that when Governor Hull issued a pardon and the grand jury made a presentment declaring that in so doing the Governor had been guilty of usurpation, Judge Woodward proceeded to enforce his illegal judgment.

Laws are silent in war time. The bickerings and jealousies of seven years were to be forgotten in the preparations for defense. But what confidence could the people have in the leadership of a governor who had not been able to govern a little community? Not only had his own people found him weak, but the enemy at Fort Malden had drawn him into a correspondence in which he displayed conceit in place of patriotism and a general mental density which must

have gratified the astute Englishmen who were keeping the Indians supplied with powder, lead, and scalping-knives against the day of need. That day was now come. Tecumseh and his twin brother the Prophet had organized a conspiracy similar to that by which Pontiac had endeavored to keep the white men out of the Indian lands. Defeated at Tippecanoe, the Indians were forced to seek a British alliance in order to further their schemes against the Americans ; and when war was declared between Great Britain and the United States Tecumseh straightway reported at Fort Malden for duty.

CHARLES MOORE.



THE BORROWER WILL BE CHARGED
AN OVERDUE FEE IF THIS BOOK IS NOT
RETURNED TO THE LIBRARY ON OR
BEFORE THE LAST DATE STAMPED
BELOW. NON-RECEIPT OF OVERDUE
NOTICES DOES NOT EXEMPT THE
BORROWER FROM OVERDUE FEES.

CANCELLED

DEC 26 1986

215 6866



3 2044 086 425 907

